

*error*

Jonathan Matthew Borg (JB-9487)  
DAY PITNEY LLP  
7 Times Square  
New York, New York 10036  
Telephone: (212) 297-5800  
Facsimile: (212) 916-2940  
Email: jborg@daypitney.com

Attorneys for Defendant, Aetna Life Insurance Company

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
**BRIAN WOLOSHIN, on behalf of himself  
and all others similarly situated**

**Plaintiff,**

**-against-**

**AETNA LIFE INSURANCE COMPANY,**

**Defendant.**  
-----X

**Case No. 07 CV 6664 (KMK)**

**ECF CASE**

**Magistrate Judge Yanthis**

**MOTION TO ADMIT COUNSEL *PRO HAC VICE***

To: Paul O. Paradis, Esq.  
Gina M. Tufaro, Esq.  
Horwitz, Horwitz & Paradis  
28 West 44th Street – 16th Floor  
New York, NY 10036

*James  
Rutledge*

FILED COURT  
U.S. DISTRICT COURT  
2007 SEP 28 PM 4:59  
S.D. OF N.Y.

**PLEASE TAKE NOTICE** that upon the annexed affidavit of movant in support of this motion and the Certificates of Good Standing annexed thereto, the undersigned, Jonathan M. Borg, Esq., a member in good standing of the bar of this Court, and pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern District of New York, hereby moves this Court for an Order allowing the admission *pro hac vice* of:

James H. Rotondo, Esq.  
DAY PITNEY LLP  
242 Trumbull St.  
Hartford, CT 06103  
Telephone: (860) 275 0100  
Facsimile: (860) 275 0343  
Email: jhrotondo@daypitney.com

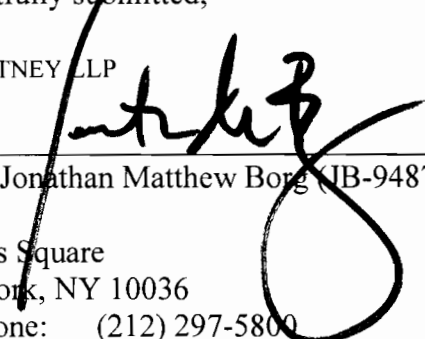
Mr. Rotondo is a partner with Day Pitney LLP, and a member in good standing of the Bars of the States of Connecticut and Massachusetts, the United States District Court for the District of Connecticut, and the United States Court of Appeals for the Second Circuit. There are no pending disciplinary proceedings against Mr. Rotondo in any State or Federal Court.

Dated: New York, New York  
September 27, 2007

Respectfully submitted,

DAY PITNEY LLP

By:

  
Jonathan Matthew Borg (JB-9487)

7 Times Square  
New York, NY 10036  
Telephone: (212) 297-5800  
Facsimile: (212) 916-2940

Attorneys for Defendant,  
Aetna Life Insurance Company

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

----- x	
<b>BRIAN WOLOSHIN, on behalf of himself and all others similarly situated</b>	<b>Case No. 07 CV 6664 (KMK)</b>
<b>Plaintiff,</b>	<b>ECF CASE</b>
<b>v.</b>	<b>Magistrate Judge Yanthis</b>
<b>AETNA LIFE INSURANCE COMPANY,</b>	
<b>Defendant.</b>	
----- x	

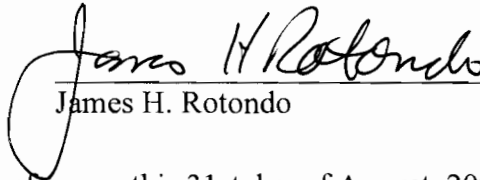
**AFFIDAVIT OF JAMES H. ROTONDO IN SUPPORT OF  
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

**STATE OF CONNECTICUT     )**  
**)**  
**COUNTY OF HARTFORD     )**

**JAMES H. ROTONDO**, being duly sworn, depose and say:

1. I am a partner with the law firm of Day Pitney LLP, attorneys for defendant Aetna Life Insurance Company, in the above-captioned matter.
2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the States of Connecticut and Massachusetts. I am also admitted to practice before the United States District Court for the District of Connecticut and U.S. Court of Appeals, Second Circuit.
4. There are no pending disciplinary proceedings against me in any State or Federal court.

5. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case.

  
James H. Rotondo

Subscribed and sworn to before me this 31st day of August, 2007.

  
Notary Public  
My Commission Expires \_\_\_\_\_.

**L. H. BUTTON**  
**NOTARY PUBLIC**  
COMMISSION EXPIRES MAR. 31, 2009



**State of Connecticut**  
**Supreme Court**

*I, Michèle T. Angers, Chief Clerk of the Supreme Court of the State of Connecticut and keeper of the Seal thereof,*

*Do hereby certify that, in the Superior Court at* **Hartford**  
*on the* **seventeenth** *, day of* **November**  
**1981**

**James H. Rotondo**

*of*

**West Hartford, Connecticut**

*having been examined and found duly qualified, was sworn as an attorney and admitted to practice before all the courts of this state, and that said attorney is a member in good standing of the Bar of this State pursuant to Practice Book §2-65.*

*In Testimony Whereof, I have hereunto set my hand and affix*

*the Seal of the Supreme Court of the State of Connecticut, at*

*Hartford, this* **twenty-fourth** *day of*

**August** **, 20 07**

A handwritten signature in cursive script that reads "Michèle T. Angers".

**Michèle T. Angers**

*Chief Clerk*



## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **twentieth** day of **April** A.D. **2000**, said Court being the highest Court of Record in said Commonwealth:

**James H. Rotondo**

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **fourteenth** day of **September** in the year of our Lord **two thousand and seven**.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
**BRIAN WOLOSHIN, on behalf of himself  
and all others similarly situated**

**Plaintiff,**

**-against-**

**AETNA LIFE INSURANCE COMPANY,**

**Defendant.**  
-----X

**Case No. 07 CV 6664 (KMK)**

**ECF CASE**

**Magistrate Judge Yanthis**

**AFFIDAVIT OF JONATHAN M. BORG**

**STATE OF NEW YORK    )  
                                  ) s.s.:  
COUNTY OF NEW YORK)**

1. I am an associate with DAY PITNEY LLP, counsel for defendant Aetna Life Insurance Company ("Aetna") in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Aetna's motion to admit James H. Rotondo as counsel *pro hac vice* to represent Aetna in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law before the Courts of the State of New York on March 1, 1999. I am also admitted to the bars of the United States District Courts for the Southern, Eastern, and Northern Districts of New York, the Northern and Southern Districts of Texas, the District of Colorado, and the Eastern District of Michigan, and the United States Court of Appeals for the Second Circuit. I am in good standing with this Court and all other Courts in which I am admitted.

3. I have known Mr. Rotondo since 2007.

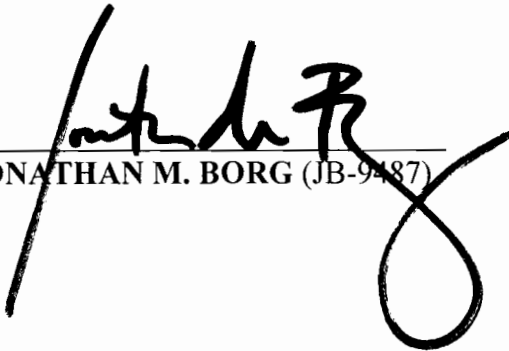
4. Mr. Rotondo is a partner of DAY PITNEY LLP in its Hartford, Connecticut office.

5. I have found Mr. Rotondo to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

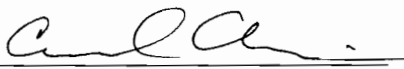
6. Accordingly, I am pleased to move the admission of James H. Rotondo *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of James H. Rotondo *pro hac vice*, which is attached hereto as Exhibit "B".

**WHEREFORE** it is respectfully requested that the motion to admit James H. Rotondo *pro hac vice* to represent defendant Aetna Life Insurance Company in the above captioned matter be granted.

  
JONATHAN M. BORG (JB-9487)

Sworn to before me this 27th  
day of September, 2007

  
Notary Public

CHIU CONRAD  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 02CH6102451  
QUALIFIED IN NEW YORK COUNTY  
COMMISSION EXPIRES 12/06/2007



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BRIAN WOLOSHIN, on behalf of himself  
and all others similarly situated

Plaintiff,

-against-

AETNA LIFE INSURANCE COMPANY,

Defendant.  
-----X

Case No. 07 CV 6664 (KMK)

ECF CASE

Magistrate Judge Yanthis

**ORDER GRANTING MOTION FOR ADMISSION TO PRACTICE *PRO HAC VICE***

Upon the motion of Jonathan M. Borg, Esq., DAY PITNEY LLP, attorneys for Aetna Life Insurance Company, and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

James H. Rotondo, Esq.  
DAY PITNEY LLP  
242 Trumbull St.  
Hartford, CT 06103  
Telephone: (860) 275-0100  
Facsimile: (860) 275-0343  
Email: jhrotondo@daypitney.com

is admitted to practice *pro hac vice* as counsel for defendant Aetna Life Insurance Company in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated: White Plains, NY

\_\_\_\_\_, 2007

\_\_\_\_\_  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

The undersigned states that on the 28th day of September, 2007, he caused a copy of the **MOTION FOR PRO HAC VICE ADMISSION OF JAMES ROTONDO** to be served upon:

Gina M Tufaro, Esq.  
Abbey Spanier Rodd Abrams & Paradis, LLP  
212 East 39th Street  
New York, NY 10016

by sending a copy of same via first class mail, prepaid and addressed to its regular mailing address.

Dated: New York, New York  
September 28, 2007



A handwritten signature in black ink, appearing to read 'Jonathan M. Borg', is written over a horizontal line. Below the line, the name 'JONATHAN M. BORG' is printed in a bold, sans-serif font.

**JONATHAN M. BORG**